

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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DR. GERALD FINKEL, as Chairman of the  
Joint Industry Board of the Electrical Industry,

Plaintiff,

-against-

RICO ELECTRIC, INC.,

Defendant.  
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JUDGMENT  
07-CV- 2145 (ARR)

An Order of Honorable Allyne R. Ross, United States District Judge, having been filed on October 16, 2009, adopting in its entirety the Report and Recommendation of Magistrate Judge Steven M. Gold, dated September 22, 2009; and directing the Clerk of Court to enter judgment accordingly holding defendant Rico Electric, Inc., liable the plaintiff in the plaintiff for the following amounts:

- (i) \$61,760.31 in unpaid contributions;
- (ii) \$7,817.68 for the audit deficiency;
- (iii) \$4,295.69 in interest;
- (iv) \$20,105.921 in statutory liquidated damages; and
- (v) \$12,683.00 in attorney's fees and \$931.46 in costs;

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and further ordering that the Clerk of Court calculate interest on the unpaid contributions at the time of judgment as follows:

<b>Plan</b>	<b>Audit Deficiency</b>	<b>Interest Rate</b>	<b>Date Interest Starts</b>	<b>Total Interest</b>
DEN	\$253.82	7%	March 23, 2007	\$45.91
E&C	\$24.88	7%	March 23, 2007	\$4.51
VHUI	\$1,617.45	7%	March 23, 2007	\$293.13
401(k)	\$951.81	7%	March 23, 2007	\$172.51
PHBP	\$3,659.19	7%	March 23, 2007	\$663.17
JIB	\$128.53	7%	March 23, 2007	\$23.30
EESISP	\$777.63	7%	March 23, 2007	\$140.92
Dues	\$31.11	7%	March 23, 2007	\$5.64
NEHB	\$373.26	10% (compounded)	March 23, 2007	\$148.35

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Plan	Unpaid Contributions	Interest Rate	Date Interest Starts	Total Interest
PHBP	\$23,047.24	6%	April 23, 2008	\$2,079.66
DEN	\$2,589.14	6%	April 23, 2008	\$233.66
ANN	\$9,000.70	6%	April 23, 2008	\$812.28
E&C	\$678.27	6%	April 23, 2008	\$61.20
VHUI	\$816.27	6%	April 23, 2008	\$73.67
JIB	\$210.11	6%	April 23, 2008	\$18.97
Dues	\$210.47	6%	April 23, 2008	\$19.00
COPE	\$4.48	6%	April 23, 2008	\$.41cents
ESSISP	\$4,407.07	6%	April 23, 2008	\$397.73
401(k)	\$19,979.18	6%	April 23, 2008	\$1,803.05
NEBF	\$820.38	10% (compounded	April 23, 2008	\$3,762.63;

and that it is,

ORDERED and ADJUDGED that judgment is hereby entered in favor of plaintiff defendant Rico Electric, Inc., in the amounts and at the interest indicated above.

Dated: Brooklyn, New York  
October 23, 2009

/S/  
ROBERT C. HEINEMANN  
Clerk of Court